

### **REMARKS**

The present application has pending claims 2-26 and 28-38.

In paragraph 4 of the Office Action the Examiner provisionally rejected claim 36 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claim 1 of copending Application Serial No. 10/387,433. Applicants do not agree with the rejection. However, in order to expedite prosecution of the present application filed on even date herewith is a Terminal Disclaimer obviating this rejection. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

It should be noted that the filing of the Terminal Disclaimer was not intended nor should it be considered as an agreement on Applicants part that the features recited in the claims are taught or suggested by claim 1 of the copending application. The filing of the Terminal Disclaimer was simply intended to expedite prosecution of the present application.

Applicants acknowledge the Examiner's indication in the Office Action that claims 2-26, 28-35, 37 and 38 are allowed.

In view of the foregoing amendments and remarks, applicants submit that claims 2-26 and 28-38 are in condition for allowance. Accordingly, early allowance of claims 2-26 and 28-38 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.40539X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



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